

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

PHI THETA KAPPA HONOR SOCIETY,

Plaintiff/Counter-Defendant,

v.

HONORSOCIETY.ORG INC.,

Defendant/Counter-Plaintiff

HONOR SOCIETY FOUNDATION, INC.,

Defendant.

Civil Action No. 3:22-cv-00208-CWR-RPM

HONORSOCIETY.ORG INC.,

Defendant/Counter-Plaintiff/Third-
Party Plaintiff

v.

LYNN TINCHER-LADNER,

Third-Party Defendant.

**HONORSOCIETY.ORG INC. AND HONOR SOCIETY FOUNDATION, INC.'S
MOTION TO EXCLUDE EXPERT TESTIMONY OF DAVID FRANKLYN**

Defendant, Counter-Claimant, and Third-Party Plaintiff HonorSociety.org Inc. and Defendant Honor Society Foundation, Inc. move for an order excluding the testimony of Phi Theta Kappa Honor Society's expert, David Franklyn, as follows:

1. HonorSociety adopts and incorporates by reference, as if fully and completely set forth herein, the arguments and authorities set forth in HonorSociety's memorandum filed concurrently herewith.
2. In further support of this motion, HonorSociety attaches herewith the Declaration of Gregory M. Scialabba and exhibits thereto.

Therefore, HonorSociety respectfully requests that the Court enter an order excluding the expert testimony of David Franklyn. Under L.U. Civ. R. 7(b)(10), counsel advises the Court that Plaintiff and Counter-Defendant Phi Theta Kappa Honor Society and Third-Party Defendant Lynn Tincher-Ladner oppose this motion.

Dated: February 14, 2025

Respectfully Submitted,

s/ Derek Linke

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Defendant Honor Society Foundation, Inc.

Certificate of Service

I hereby certify that on February 14, 2025, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system. Participants in the case are registered CM/ECF users and service will be accomplished by the CM/ECF system.

Executed this 14th day of February 2025.

s/ Derek Linke

Derek Linke